

REMARKS

Currently there are 18 claims pending in this application, claims 1 and 11 being independent claims upon which the remaining claims depend at least ultimately. Reconsideration of claims 1-18 are respectfully requested in light of the amendments thereto and the following remarks.

Claims 11 and 12 have been objected to because of unclear language. These claims have been amended consistent with Examiner's suggestions in order to clarify the language.

Claims 1-18 stand rejected under 35 U.S.C. 102(e) as being anticipated by Yokomizo *et al.* (U.S. Patent Number 6,522,418).

As currently amended, claims 1 and 11 are directed to a method and apparatus for automatically synchronizing each of a set of distributed multimedia assets in a distributor network which includes the step of, or means for, "automatically synchronizing others of the set of multimedia assets based upon (the modifying of the one asset in the set)".

Yokomizo discloses a film-to-digital-picture processing system allowing a customer to make editing changes at a home based-computer when placing an order for pictures. In this system, as expressly disclosed by Yokomizo, (col. 5, line 47 – col. 6, line 28) a customer leaves photographic film at a retail photoshop for processing into negatives. The photoshop develops the film and scans the negative into high resolution digital images which are stored at the photoshop. These digital images are then converted into low resolution digital images for transmission to a remote intermediate server located at a regional or "head" location.

Upon request of the customer to the server location via the internet, these stored low resolution images are transmitted to the customer's PC where the customer can view the images and create an edit file indicating images to be printed, changes in image content, etc. This edit file is then communicated back to the intermediate server for re-communication to the retail shop.

It should be noted here, that Yokomizo makes no reference to any modification of the low resolution images stored in the intermediate server. (col. 6, lines 3-8). As described, the server is merely a conduit for forwarding the edit list to the retail shop. Thus Yokomizo does not disclose the claimed limitation of "automatically synchronizing all others of (a) set of distributed multimedia assets.

The retail shop then reads the edit list and applies the appropriate image change and order information to the high resolution images which are then outputted for printing and pickup by the customer. Yokomizo's actual description (col. 6, lines 9-14) reads:

“...the branch shop 1 executes editorial processing on the high-resolution image which has been stored in the disk 3. The high-resolution image information after the editorial processing is then outputted through, for example, the printer P and delivered to the user.” (emphasis added)

It must be noted in this description that there is no discussion by Yokomizo of any updating of the originally stored high resolution images at the retail shop. The original, stored high resolution images are accessed and modified and the modified images are outputted for printing. Thus, it is clear there is no mention of any replacing (“synchronizing”) of the original stored images with the modified images.

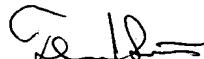
While one might speculate on whether, or why, the retail shop might want to replace the original high resolution digital image with a modified image updated by the edit list, speculation is not an allowable substitute for actual disclosure.

On this point, it would be more plausible to conclude that the retail shop would maintain the original image files unmodified, i.e. not synchronized, so as to be available for future newly edited orders, since the intermediate server low resolution image files, on which future orders would be based, are not changed by any intermediate order editing.

Accordingly, Yokomizo does not anticipate the limitations of independent claims 1 and 11. It is respectfully urged, therefore, that these claims are allowable over the outstanding rejection.

Remaining claims 2-20 and 12-18 are dependent, directly or indirectly, from claims 1 or 11 and are therefore considered to be allowable over Yokomizo for the reasons discussed above

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.